

[REDACTED]
[REDACTED]
[REDACTED]
Date FEB 18 1986

CERTIFIED

Dear Applicant

We have considered your application for recognition of exemption from Federal Income Tax under Section 501(c)(6) of the Internal Revenue Code.

The information submitted discloses that you were incorporated on [REDACTED], under the nonprofit corporation laws of the State of [REDACTED].

As stated in your Articles of Incorporation, you are organized to provide services to hospitals and health related institutions, and organizations with the objective of containing health care costs, maximizing use of resources, sharing professional and technical expertise, improving the quality of health care, increasing health care productivity and achieving economics of scale. Such services shall include, but shall not be limited to group purchasing, biomedical maintenance and procurement of equipment. The corporation may also sponsor, endorse, market and support similar programs and services of other corporations located in or outside the state of [REDACTED].

Your articles include negotiating Regional and National purchasing contracts and assisting in local/regional purchasing. You also provide professional and technical expertise to your client organizations by supplying them with technical contract catalogs and binders and by putting on various inservice educational programs.

Form 1024 and subsequent correspondence indicate the following:

- (a). You provide group purchasing contracts and services to hospitals and other health related institutions and organizations.
- (b). The other health related institutions are home health agencies, nursing homes and medical centers.
- (c). You provide services to any hospital or health related institution that request it.

| Code | Initiator | Reviewer | Reviewer | Reviewer | Reviewer | Reviewer | Reviewer |
|---------|------------|------------|------------|------------|------------|----------|----------|
| Surname | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | | |
| Date | 1/9/86 | 1/11/86 | 2/11/86 | 2/11/86 | 2/12/86 | | |

- (d). You did not have any members. All hospitals and health related institutions are clients.

Section 501(c)(6) of the Internal Revenue Code provides for exemption of "business leagues, chambers of commerce, real estate boards, boards of trade, or professional football leagues (whether or not administering a pension fund for football players), not organized for profit and no part of the net earnings which inures to the benefit of any private shareholder or individual".

Section 1.501(c)(6)-1 of Income Tax Regulations reads as follows:

"BUSINESS LEAGUES, CHAMBERS OF COMMERCE, REAL ESTATE BOARDS AND BOARDS OF TRADE. A business league is an association of persons having some common business interest, the purpose of which is to promote such common business interest and not to engage in a regular business of a kind ordinarily carried on for profit. It is an organization of the same general class as a chamber of commerce or board of trade. Thus, its activities should be directed to the improvement of business conditions of one or more lines of business as distinguished from the performance of particular services for individual persons. An organization whose purpose is to engage in a regular business of a kind ordinarily carried on for profit, even though the business is conducted on a cooperative basis or produces only sufficient income to be self-sustaining, is not a business league. An association engaged in furnishing information to prospective investors, to enable them to make sound investments, is not a business league, since its activities do not further any common business interest, even though all of its income is devoted to the purpose stated. A stock or commodity exchange is not a business league, a chamber of commerce, or board of trade within the meaning of Section 501(c)(6) and is not exempt from tax. Organizations otherwise exempt from tax under this section are taxable upon their unrelated business taxable income. See Sections 511 to 515, inclusive and the regulations thereunder".

Rev. Rul. 66-338, 1966-2 C.F. 226 provides where the principal activities of a nonprofit organization, formed to promote the interests of a particular retail trade, are the management consultant services of its field representatives who advise members on their individual business problems and the sale of supplies and equipment to members at low prices, the organization does not qualify for exemption, even though such activities are conducted on a cooperative basis and produce only sufficient income to be self-sustaining.

Because of the above described operation your activities are aimed at the performance of particular services for your individual members as distinguished from the improvement of business conditions generally as required by Section 1.501(c)(6) of the Income Tax Regulations.

We have concluded that you do not qualify for exemption from Federal Income Tax as an organization described in Section 501(c)(6) of the Internal Revenue Code. Accordingly, you are required to file income tax returns on Form 1120, annually, with your District Director.

If you do not agree with these conclusions, you may within thirty days from the date of this letter, file a brief of the facts, law and arguments (in duplicate) which clearly sets forth your position. In the event you desire an oral discussion of the issues, you should so indicate in your submission. A conference will be arranged in the Regional Office after you have submitted your brief to the Chicago District Office and we have had an opportunity to consider the brief and it appears that the conclusions reached are still unfavorable to you. Any submission must be signed by one of your principal officers. If the matter is to be handled by a representative, the Conference and Practice Requirements regarding the filing of a power of attorney and evidence of enrollment to practice must be met. We have enclosed Publication 892, Exempt Organization Appeal Procedures for Adverse Determinations, which explains in detail your rights and procedures.

If you agree with this determination, please sign and return the enclosed Form 6018.

Sincerely yours,

District Director

Enclosures
Publication 892
Form 6018